

AMENDMENTS TO THE CLAIMS**Claims 1-37 (canceled)**

38. (previously presented) A four wheel drive assembly for a vehicle having two pairs of wheels comprising a torque transfer assembly which receives torque and which has a first mode of operation in which said torque transfer assembly selectively increases torque to a slower pair of wheels upon an occurrence of a sensed slip condition, and which assembly further includes a preemptive mode of operation which occurs only after the first mode of operation has occurred, and in which preemptive mode the torque transfer assembly increases torque to a slower pair of wheels after determining that a slip condition is likely to occur on the basis of a speed of the vehicle and a position of one of an accelerator member and an engine throttle plate.

39. (previously presented) The four wheel drive assembly of Claim 38 wherein said preemptive mode terminates after a certain period of time shall have elapsed without an occurrence of a sensed slip condition.

40. (previously presented) The four wheel drive assembly of Claim 39 wherein said certain period of time comprises about thirty seconds.

41. (previously presented) The four wheel drive assembly of Claim 40 wherein said preemptive mode again occurs upon a sensed occurrence of a slip condition after said certain period of time.

42. (previously presented) The four wheel drive assembly of Claim 38 wherein said preemptive mode terminates upon an attainment of a certain vehicular speed and an attainment of a certain value for a predetermined attribute.

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43. (previously presented) The four wheel drive assembly of Claim 42 wherein said certain vehicular speed comprises a speed of about twenty-five kilometers per hour.

44. (previously presented) The four wheel drive assembly of Claim 43 wherein said predetermined attribute comprises a difference in a speed of a first axle and a speed of a second axle.

45. (previously presented) The four wheel drive assembly of Claim 44 wherein said certain value comprises about two kilometers per hour.

46. (canceled)

Claims 47-53 (canceled)

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(Serial No. 09/683,941)

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